

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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:
FRANK QUAGLIA,
:
Plaintiff,
:
-against- : Civil Action No. 04-10460 RWZ
:
BRAVO NETWORKS, NATIONAL : **DECLARATION OF BARRY I.**
BROADCASTING COMPANY, INC., doing : **SLOTNICK IN SUPPORT OF**
business as NBC; RAINBOW : **DEFENDANTS' JOINT MOTION FOR**
PROGRAMMING HOLDINGS, INC., and : **SUMMARY JUDGMENT**
DOES 1-10, :
:
Defendants.
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BARRY I. SLOTNICK hereby declares, pursuant to 28 U.S.C. § 1746(2), the following:

1. I am a member of the firm of Loeb & Loeb LLP, attorneys for Defendant Rainbow Media Holdings LLC, sued herein as Rainbow Programming Holdings, Inc. ("Rainbow"), in this matter. I respectfully submit this Declaration in support of Defendants' Motion for Summary Judgment.

2. Attached hereto as Exhibit A is a true and correct copy of the deposition transcript of Frank Quaglia, dated January 11, 2005.

3. Attached hereto as Exhibit B is a true and correct copy of Plaintiff's VHS tape of "The Ultimate Audition".

4. Attached hereto as Exhibit C is a true and correct copy of the 5/19/95 BackStage Ad.

5. Attached hereto as Exhibit D is a true and correct copy of a Sample Contractual Agreement/Consent Form.

6. Attached hereto as Exhibit E is a true and correct copy of a Sample Contract/Agreement.

7. Attached hereto as Exhibit F is a true and correct copy of the Complaint filed in this action.

8. Attached hereto as Exhibit G is a true and correct copy of Plaintiff's Responses to Rainbow's First Set of Interrogatories, dated July 26, 2004.

9. Attached hereto as Exhibit H is a true and correct copy of a list of Clair's Computer Files with Dates of Modification.

10. Attached hereto as Exhibit I is a true and correct copy of the deposition transcript of Nicole Torre, dated January 11, 2004.

11. Attached hereto as Exhibit J is a true and correct copy of the deposition transcript of David Clair, dated November 4, 2004.

12. Attached hereto as Exhibit K is a true and correct copy of David Clair's Journal Notes.

13. Attached hereto as Exhibit L is a true and correct copy of the deposition transcript of Lauren Friedland, dated December 15, 2004.

14. Attached hereto as Exhibit M is a true and correct copy of the 2/16/01 Back Stage Ad.

15. Attached hereto as Exhibit N is a true and correct copy of a VHS videotape of "The It Factor," episode 101.

16. Attached hereto as Exhibit O are true and correct copies of VHS videotapes of "The It Factor," episode 102.

17. Attached hereto as Exhibit P is a true and correct copy of a VHS videotape of "The It Factor," episode 103.

18. Attached hereto as Exhibit Q is a true and correct copy of a VHS videotape of "The It Factor," episode 104.

19. Attached hereto as Exhibit R is a true and correct copy of a VHS videotape of "The It Factor," episode 105.

20. Attached hereto as Exhibit S is a true and correct copy of a VHS videotape of "The It Factor," episode 112.

21. Attached hereto as Exhibit T is are true and correct copy of a VHS videotape of "The It Factor," episode 113.

22. Attached hereto as Exhibit U is a true and correct copy of a 10/15/01 email from Debbie DeMontreux to Lauren Friedland.

23. Attached hereto as Exhibit V is a true and correct copy of the "The It Factor" Episodes & Air Dates Guide.

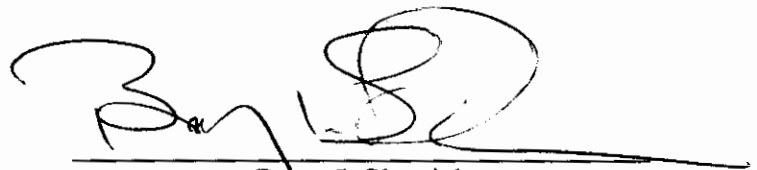
24. Attached hereto as Exhibit W is a true and correct copy of the deposition transcript of Debbie Demontreux, dated December 17, 2004.

25. Attached hereto as Exhibit X is a true and correct copy of the deposition transcript of Laura Pierce, dated January 19, 2005.

26. Attached hereto as Exhibit Y is a true and correct copy of the Plaintiff's Comparative Analysis.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
July 21, 2005



Barry I. Slotnick